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OCT 26 2006 Atty. Dkt. No. 063073-0110

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Danyluk et al.

Title: NON-VIBRATING  
CAPACITANCE PROBE FOR  
WEAR MONITORING

Appl. No.: 09/846,835

Filing Date: 5/1/2001

Examiner: D.S. Larkin

Art Unit: 2856

Confirmation Number:

4975

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SUPPLEMENTAL AMENDMENT TRANSMITTAL

Mail Stop Reissue  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application. Also enclosed is a clean copy of U.S. Patent No. 5,974,869 and the Reissue Application Declaration By the Inventors.

Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established by a previous assertion of Small Entity status.

Assertion of Small Entity status is enclosed.

Atty. Dkt. No. 063073-0110

[ X ] The fee required for additional claims is calculated below:

|  | Claims<br>As<br>Amended | Previously<br>Paid For | Extra<br>Claims<br>Present | Rate       | Additional<br>Claims Fee |
|--|-------------------------|------------------------|----------------------------|------------|--------------------------|
| Total Claims:  | 38                      | -                      | 38 = 0                     | x \$50.00  | = \$0.00                 |
| Independent<br>Claims:                               | 15                      | -                      | 15 = 0                     | x \$200.00 | = \$0.00                 |
| First presentation of any Multiple Dependent Claims: |                         |                        | + \$360.00                 | =          | \$0.00                   |
| <b>CLAIMS FEE TOTAL</b> = <u><u>\$0.00</u></u>       |                         |                        |                            |            |                          |

[ ] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

|   |            |                      |
|---|------------|----------------------|
| [ ] Extension for response filed within the first month:  | \$120.00   | \$0.00               |
| [ ] Extension for response filed within the second month: | \$450.00   | \$0.00               |
| [ ] Extension for response filed within the third month:  | \$1,020.00 | \$0.00               |
| [ ] Extension for response filed within the fourth month: | \$1,590.00 | \$0.00               |
| [ ] Extension for response filed within the fifth month:  | \$2,160.00 | \$0.00               |
| <b>EXTENSION FEE TOTAL:</b>                               |            | <u><u>\$0.00</u></u> |
| [ ] Statutory Disclaimer Fee under 37 C.F.R. 1.20(d):     | \$130.00   | \$0.00               |
| <b>CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL:</b>        |            | <u><u>\$0.00</u></u> |
| [ X ] Small Entity Fees Apply (subtract ½ of above):      |            | <u><u>\$0.00</u></u> |
| <b>Extension Fees Previously Paid:</b>                    |            | <u><u>\$0.00</u></u> |
| <b>TOTAL FEE:</b>   |            | <u><u>\$0.00</u></u> |

Atty. Dkt. No. 063073-0110

If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 06-1450.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date Oct. 26, 2006

By Michael D. Rechtin

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